



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of: George P. Lomonosoff *et al.*
Serial No.: 09/508,704
Filed: 05/30/00
Entitled: **Modified Plant Viruses as Vectors**

Group No.: 1636
Examiner: W. Sandals

JAN 06 2003

TECH CENTER 1600/290

RESPONSE TO OFFICE ACTION MAILED 08/29/02

#16
BP
1-903

Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)	
I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.	
Dated: <u>December 27, 2002</u>	By: <u>Traci E. Light</u> Traci E. Light

Sir or Madam:

Please enter the following on the record in response to the above cited Office Action mailed August 29, 2002. A petition for a one month extension of time is submitted herewith.

There are no rewritten or added claims. A clean version of the entire set of pending claims pursuant to 37 C.F.R. § 1.121(c)(3) is attached as Appendix I.

R E M A R K S

Claims 1 - 16 are pending and stand rejected. The Examiner has made a number of rejections. We list them here in the order in which they are addressed:

- (1) Claims 1, 2, 7-10, 15 and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 5,316,931.
- (2) Claims 1, 2, 7-10, 15 and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application No. 07/600,244.
- (3) Claims 1 - 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,316,931 in view of the '244 application and the '976 patent.
- (4) Claims 9 - 16 are rejected under the judicially created doctrine of double patenting over claims 1-9 of U.S. Patent No. 5,874,087. Claims 9 - 16 are also